

**In the United States Bankruptcy Court
for the Western District of Pennsylvania**

In re:)
William A. Driscoll, Jr. and)
Nicole M. Driscoll,)
Debtors,)
William A. Driscoll, Jr. and)
Nicole M. Driscoll,)
Movants,)
vs.)
No Respondents,)
Respondent.)
Case No. 18-24397 CMB
Chapter 13
Related to Doc. No. 98

CONSENT ORDER APPROVING POST-PETITION AUTOMOBILE FINANCING

This matter comes before the Court upon the *CONSENT ORDER OF THE DEBTORS FOR POST-PETITION FINANCING* filed by Debtors. Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The *Consent Order* is **GRANTED** as provided by the terms of this Order. Debtors are authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms:

- (a) the total amount of financing **shall not exceed \$25,000**; and
- (b) the monthly payments made monthly payments made under the financing agreement **shall not exceed \$520.00**.

2. To the extent that Debtors secure financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtors shall file:

- (a) an amended chapter 13 plan; and
- (b) a report of financing which will include the details of the automobile financing

3. To ensure the prompt and timely payment of the automobile loan, Debtors shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.

4. Pending confirmation of any amended plan providing for the new post-petition loan payments, the trustee is authorized to make monthly adequate protection payments to a

lender that will be determined at the time of vehicle financing. A consent order will be filed within 7 days of vehicle financing providing for the contract amount so long as sufficient funds are provided by Debtors.

5. Notwithstanding the inclusion of the post-petition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the post-petition vehicle lender.

6. The Debtors are permitted to surrender the vehicle leased from Hyundai Capital, which has been totaled in an accident.

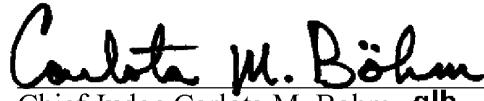
7. Debtors shall serve copies of this *Order* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Dated: July 16, 2021

Consented to:

/s/ Gary W. Short
Gary Short
Attorney for Debtor

Case Administrator to Mail to:
William A. Driscoll
Nicole M. Driscoll
Gary Short Esq.
Ronda J. Winneccour, Esq.
Office of the U.S. Trustee


Carlota M. Bohm
Chief Judge Carlota M. Bohm **gib**

FILED
7/16/21 3:25 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
William A. Driscoll, Jr.
Nicole M. Driscoll
Debtors

Case No. 18-24397-CMB
Chapter 13

District/off: 0315-2
Date Rcvd: Jul 16, 2021

User: gamr
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 18, 2021:

Recip ID **Recipient Name and Address**
db/jdb + William A. Driscoll, Jr., Nicole M. Driscoll, 717 Kilbuck Drive, Cranberry Twp, PA 16066-6840

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 18, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 16, 2021 at the address(es) listed below:

| Name | Email Address |
|----------------------|---|
| Brian Nicholas | on behalf of Creditor BAYVIEW LOAN SERVICING LLC bnicholas@kmllawgroup.com |
| Brian Nicholas | on behalf of Creditor Community Loan Servicing LLC bnicholas@kmllawgroup.com |
| Brian Nicholas | on behalf of Creditor PENNYMAC LOAN SERVICES LLC bnicholas@kmllawgroup.com |
| Garry Alan Masterson | on behalf of Creditor Allegent Community Federal Credit Union pitecf@weltman.com |
| Gary William Short | on behalf of Debtor William A. Driscoll Jr. garyshortlegal@gmail.com, gwshort@verizon.net |
| Gary William Short | on behalf of Joint Debtor Nicole M. Driscoll garyshortlegal@gmail.com gwshort@verizon.net |

District/off: 0315-2

User: gamr

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Jerome B. Blank

on behalf of Creditor PENNYMAC LOAN SERVICES LLC pawb@fedphe.com

Jill Manuel-Coughlin

on behalf of Creditor PENNYMAC LOAN SERVICES LLC bankruptcy@powerskirk.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Maria Miksich

on behalf of Creditor PENNYMAC LOAN SERVICES LLC mmiksich@kmllawgroup.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Rebecca Solarz

on behalf of Creditor BAYVIEW LOAN SERVICING LLC bkgroup@kmllawgroup.com

Ronda J. Winnecour

cmevf@chapter13trusteedpa.com

Thomas Song

on behalf of Creditor PENNYMAC LOAN SERVICES LLC pawb@fedphe.com

William E. Craig

on behalf of Creditor ACAR Leasing LTD d/b/a GM Financial Leasing ecfmail@mortoncraig.com
mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 15